

ISIP018US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 23, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

RE: REPLY TO JUNE 25, 2002 ELECTION/RESTRICTION OFFICE ACTION  
FOR: SERIAL NUMBER 09/643,046; ART UNIT 2653; FILED 8/21/00;  
EXAMINER: NABIL Z. HINDI  
TITLE: OPTICAL PICKUP APPARATUS AND METHOD

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elect

Dear Sir:

By and with this reply, I hereby elect the species of Fig. 4. The elected species of Fig. 4 employs a reflection grating, while the non-elected species of Fig. 4b employs a transmission grating. All of claims 1-13, 15-35, and 37-45 read on the elected species. Claims 1-12, 15-34, and 37-45 are generic insofar as they do not depend one way or the other on the Fig. 4 versus Fig. 4b choice of a reflection versus a transmission grating. Claims 13 and 35 specify a reflection grating and thus read only on the elected species. Claims 14 and 36 specify a transmission grating and thus read only on the non-elected species.

By and with this reply, I hereby request further examination and consideration of this application, on the basis of the claims and remarks already of record I this case.

Very Truly Yours,

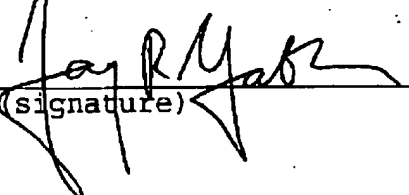
  
Jay R. Yablon  
Registration # 30604

OFFICIAL

## CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax Number 703-746-5959 on the transmission date of July 23, 2002, pursuant to 37 CFR 1.8.

Name of Person signing this certificate: Jay R. Yablon

  
(signature)